

**REMARKS****I. General**

Claims 1-20 were pending in the present application and were rejected in the current Office Action (mailed July 21, 2004). The outstanding issues in the current Office Action are:

- Claims 19-20 are objected to for informalities; and
- Claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,539,457 issued to Mulla et al. (*Mulla*).

In response, Applicant respectfully addresses the claim objects in the amendments presented herein and traverses the outstanding claim rejections in view of the remarks presented below.

**II. Amendments****A. In the Specification**

The specification is amended herein to update the data concerning the related applications identified therein, as requested by the current Office Action (see item 3 on page 2 of the current Office Action). No new matter is added by these amendments.

**B. In the Claims**

Amendments are presented for claims 19 and 20. With regard to claim 19, the term “cache” is deleted therefrom. This is not intended as a narrowing amendment (but is instead broadening), and this amendment is not made to overcome any applied art. This amendment overcomes the objection raised in item 4 on page 2 of the present Office Action, and therefore withdrawal of that objection is respectfully requested.

With regard to claim 20, the term “cache” is deleted therefrom for consistency with the language in claim 19 (from which it depends). This is not intended as a narrowing amendment (but is instead broadening), and this amendment is not made to overcome any

applied art. Further, claim 20 is amended to correctly depend from claim "19", thus correcting the typographical error "B1" originally present therein. These amendments overcome the objections raised in item 4 on page 2 of the present Office Action, and therefore withdrawal of those objections is respectfully requested.

### **III. Rejections under 35 U.S.C. § 102(e) over *Mulla***

Claims 1-20 are rejected under 35 U.S.C. § 102(e) as being anticipated by *Mulla*. Applicant respectfully traverses this rejection as discussed below.

35 U.S.C. § 102(e) provides:

A person shall be entitled to a patent unless –

(e) the invention was described in ... a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent.... (Emphasis added).

As provided above, 35 U.S.C. § 102(e) requires that the invention be described in a patent granted on an application for patent by another. *Mulla* fails to satisfy this requirement because the inventors named in *Mulla* are the same inventors named in the present application, and thus *Mulla* is not a patent granted on an application for patent by another. Specifically, *Mulla* has as its inventors: Dean A. Mulla, Reid James Riedlinger, and Thomas Grutkowski. Likewise, the present application for patent has these same individuals as inventors. Accordingly, *Mulla* is not a proper reference under 35 U.S.C. § 102(e) for the present application because *Mulla* is not by another.

In view of the above, Applicant respectfully requests that the rejection of claims 1-20 under 35 U.S.C. § 102(e) be withdrawn.

#### IV. Conclusion

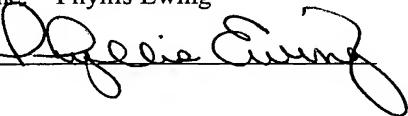
In view of the above, Applicant believes the pending application is in condition for allowance.

Applicant believes no fee is due with this response. However, if a fee is due, please charge Deposit Account No. 08-2025, under Order No. 10971429-1 from which the undersigned is authorized to draw.

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Date of Deposit: August 13, 2004

Typed Name: Phyllis Ewing

Signature: 

Respectfully submitted,

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